

USE OF PHYSICAL INTERVENTION AND RESTRAINT

To maintain a safe learning environment, district employees may, within the scope of their employment and consistent with state law, use physical intervention and restraint with students in accordance with this policy and accompanying regulation. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy and accompanying regulation.

Physical Intervention

Corporal punishment shall not be administered to any student by any district employee.

Within the scope of their employment, district employees may use reasonable and appropriate physical intervention with a student to accomplish the following:

1. To quell a disturbance threatening physical injury to the student or others.
2. To obtain possession of weapons or other dangerous objects upon or within the control of the student.
3. For the purpose of self-defense.
4. For the protection of persons against physical injury or to prevent the destruction of property which would lead to physical injury to the student or others.

Under no circumstances shall a student be secluded or be physically held for five or more minutes unless the provisions regarding restraint contained in this policy and accompanying regulation are followed.

Restraint

For purposes of this policy and accompanying regulation, restraint is defined as any method or device used to involuntarily limit a student's freedom of movement, including but not limited to bodily physical force, mechanical devices, chemicals, and seclusion. Restraint shall not include the holding of a student in a position other than a prone position for less than five minutes by a district employee for the protection of the student or others and other actions excluded by the definition of restraint in state law.

District employees shall not use restraint as a punitive form of a discipline or as a threat to control or gain compliance of a student's behavior. Prone restraint shall not be used by district employees except when the prone restraints are used on a student who is openly displaying a deadly weapon, as defined in state law and this policy's accompanying regulation or by certified peace officers or armed security officers working in a school and who meet the legal requirements of C.R.S 26-20-111(3). **District employees are also prohibited from restraining a student by use of a mechanical restraint or chemical restraint**, as those terms are defined by applicable state law and this policy's accompanying regulation.

Restraint shall only be administered by district employees trained in accordance with applicable State Board of Education Rules.

Adopted prior to 1985

Revised to conform with practice - date of manual adoption Revised
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Legal refs.: C.R.S. 18-1-703 use of physical force by those supervising minors
C.R.S. 18-1-901 (3)(e) (definition of a deadly weapon)
C.R.S. 18-6-401(1) definition of child abuse
C.R.S. 19-1-103(1) definition of abuse and neglect
C.R.S. 22-32-109.1 (2)(a) adoption and enforcement of discipline code
C.R.S. 22-32-109.1 (2)(a)(I)(D) policy required as part of safe schools plan
C.R.S. 22-32-109.1 (2)(a)(I)(L) policies for use of restraint and seclusion of students
and information on the process for filing a complaint regard the use of restraint or
seclusion shall be included in student conduct and disciplinary code
C.R.S. 22-32-109.1 (9) immunity provisions in safe schools law
C.R.S. 22-32-147 use of restraints on students
C.R.S. 26-20-101 et seq. protection of persons from restraint act
1 CCR 301-45 State Board of Education rules for the administration of the
protection of persons from restrain act

Cross ref: JKC, Discipline of Disruptive Students